

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL ACTION NO. 1:21-CV-00102-FDW**

SUSAN GRAYSON DELLINGER,

Plaintiff,

v.

**KILOLO KIJAKAZI, Acting
Commissioner of Social Security,**

Defendant.


ORDER

THIS MATTER is before the Court on Plaintiff's request for judicial review of the Acting Commissioner's decision that he is not disabled. (Doc. No. 1). The Acting Commissioner has not yet answered the Complaint. Instead, the Acting Commissioner filed a Consent Motion for Remand Pursuant to Sentence Six of 42 U.S.C. § 405(g), requesting that this Court remand this case under sentence six of 42 U.S.C. § 405(g), due to irregularities in the hearing recording process of the administrative hearing held in this case. (Doc. No. 9). Plaintiff has consented to the motion.

Good cause having been shown, the Court hereby REMANDS this case to the Commissioner under sentence six of 42 U.S.C. § 405(g), for further administrative proceedings. Because this case is being remanded under sentence six of 42 U.S.C. § 405(g), judgment is not entered at this time and this Court shall retain jurisdiction of this case while it is pending before the Acting Commissioner. See Melkonyan v. Sullivan, 501 U.S. 89, 98 (1991).

IT IS SO ORDERED.

Signed: August 5, 2021


Frank D. Whitney
United States District Judge

